



CVCWA

Central Valley Clean Water Association

Representing Over Fifty Wastewater Agencies

MICHAEL RIDDELL – Chair, City of Riverbank
CASEY WICHERT – Secretary, City of Brentwood

TERRIE MITCHELL – Vice Chair, Sacramento Regional CSD
MARGARET ORR – Treasurer, City of Stockton

October 10, 2014

Via Electronic Mail Only

Mr. Scott Hatton
Water Resources Control Engineer
Regional Water Quality Control Board,
Central Valley Region
1685 E Street
Fresno, CA 93706
scott.hatton@waterboards.ca.gov

RECEIVED

OCT 10 2014

RWQCB-CVR
FRESNO, CALIF.

RE: Comments on the Tentative Waste Discharge Requirements City of Fresno, Consolidated Land Company & Consolidated Industries, Inc., North Fresno Wastewater Reclamation Facility, Fresno County

Dear Mr. Hatton:

The Central Valley Clean Water Association (CVCWA) appreciates the opportunity to comment on the tentative Waste Discharge Requirements for the City of Fresno, Consolidated Land Company and Consolidated Industries, Inc. (collectively referred to as "City") North Fresno Wastewater Reclamation Facility (Tentative Order). CVCWA is a non-profit association of public agencies located within the Central Valley region that provide wastewater collection, treatment, and water recycling services to millions of Central Valley residents and businesses. We approach these matters with the perspective of balancing environmental and economic interests consistent with state and federal law. In this letter, we provide the following comments regarding several of the Central Valley Regional Water Quality Control Board's (Central Valley Water Board) proposed provisions, and request revisions as indicated here.

I. Pretreatment Program

The Tentative Order explains that the City has eliminated the point of discharge to the flood control basin (Basin DE), which is hydrologically connected to the San Joaquin River. Accordingly, the NPDES requirements in the prior order for the North Fresno Wastewater Reclamation Facility (Facility) are no longer necessary.¹ However, the Tentative Order still contains the Pretreatment Program provisions from the NPDES permit.²

Under the federal NPDES regulations, pretreatment programs are generally required for publicly owned treatment works (POTWs) that discharge to a water of the United States.³ For POTWs that discharge to land, operate under waste discharge requirements, and have an average dry weather flow of less than 5 million gallons per day, local pretreatment programs are discretionary and may be included "where deemed appropriate."⁴ Here, there is no finding that a pretreatment program is appropriate for this Facility. Rather, the Tentative Order acknowledges that the Copper River Ranch development, which the Facility serves, does not include any significant industrial users.⁵ To the extent that the Regional Board included a pretreatment program because of the Facility's connection to the regional collection system, the City must already comply with the pretreatment requirements associated with the permit for the Fresno-Clovis Metropolitan Regional Wastewater Reclamation Facility. Requiring the City to implement and enforce the existing pretreatment program in the Tentative Order is duplicative and adds an unnecessary expense in permitting fees and program implementation to the City. CVCWA respectfully requests that Section H be removed from the Tentative Order.

II. Discharge Specification B.2

Discharge Specification B.2 requires compliance with the groundwater limitations contained in the Tentative Order.⁶ This discharge specification is duplicative and creates unnecessary liability. The groundwater limitations are an independent requirement and are extensive, incorporating the Maximum Contaminant Levels for all the constituents identified in Title 22.⁷ It is unnecessary to include a separate discharge specification requiring compliance with the other, independent provisions of the Tentative Order.

¹ Tentative Order, p. 1.

² Compare Order No. R5-2006-0090-01 (NPDES No. CA0085189), pp. 22-23, with Tentative Order, pp. 22-23.

³ 40 C.F.R. § 122.44(j); 40 C.F.R. pt. 405.

⁴ Cal. Code Regs., tit. 23, § 2233(a).

⁵ Tentative Order, Information Sheet p. 1.

⁶ Tentative Order, p. 13.

⁷ *Id.*, p. 22.


Further, CVCWA is concerned with including the reference to "mass" as part of the discharge specification for complying with groundwater limitations. The groundwater limitations are concentration-based requirements that are consistent with adopted water quality objectives. Such objectives, or criteria interpreting narrative objectives, are concentration-based. Therefore, it is inappropriate to include a reference to "mass" with respect to compliance with groundwater limitations.

III. Timeframe for Submission of Reports for Recycled Water Use

Provisions I.4 and I.6 in the Tentative Order, which relate to the discharge of recycled water on the Copper River Country Club golf course, begin with the condition "prior to initiating discharge." As it is explained in the Tentative Order, however, the City has been periodically discharging tertiary effluent to the golf course since July 2010. Thus, the conditional language puts the City into noncompliance as soon as the Tentative Order is adopted. CVCWA recommends revising this language in Provisions I.4 and I.6 to require the submission of copies of relevant reports within 30 days following adoption of this Order.

We appreciate your consideration of these comments. If you have any questions or if CVCWA can be of further assistance, please contact me at (530) 268-1338 or eoofficer@cvcwa.org.

Sincerely,



Debbie Webster,
Executive Officer

cc (via email): Pamela Creedon, Central Valley Regional Water Quality Control Board
(pcreedon@waterboards.ca.gov)